

Adopted	Rejected
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COMMITTEE REPORT

YES:	11
NO:	0

MR. SPEAKER:

*Your Committee on Public Health, to which was referred House Bill 1141, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 human services.
- 4 Page 1, between the enacting clause and line 1, begin a new
- 5 paragraph and insert:
- 6 "SECTION 1. IC 12-7-2-91, AS AMENDED BY P.L.14-2000,
- 7 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 8 UPON PASSAGE]: Sec. 91. "Fund" means the following:
- 9 (1) For purposes of IC 12-12-1-9, the fund described in
- 10 IC 12-12-1-9.
- 11 (2) For purposes of IC 12-13-8, the meaning set forth in
- 12 IC 12-13-8-1.
- 13 (3) For purposes of IC 12-15-20, the meaning set forth in

- 1 IC 12-15-20-1.
- 2 (4) For purposes of IC 12-17-12, the meaning set forth in
- 3 IC 12-17-12-4.
- 4 (5) For purposes of IC 12-17.6, the meaning set forth in
- 5 IC 12-17.6-1-3.
- 6 (6) For purposes of IC 12-18-4, the meaning set forth in
- 7 IC 12-18-4-1.
- 8 (7) For purposes of IC 12-18-5, the meaning set forth in
- 9 IC 12-18-5-1.
- 10 (8) For purposes of IC 12-19-7, the meaning set forth in
- 11 IC 12-19-7-2.
- 12 (9) For purposes of IC 12-23-2, the meaning set forth in
- 13 IC 12-23-2-1.
- 14 **(10) For purposes of IC 12-23-18, the meaning set forth in**
- 15 **IC 12-23-18-4.**
- 16 **(11) For purposes of IC 12-24-6, the meaning set forth in**
- 17 **IC 12-24-6-1.**
- 18 ~~(11)~~ **(12) For purposes of IC 12-24-14, the meaning set forth in**
- 19 **IC 12-24-14-1.**
- 20 ~~(12)~~ **(13) For purposes of IC 12-30-7, the meaning set forth in**
- 21 **IC 12-30-7-3.**

22 SECTION 2. IC 12-23-18 IS ADDED TO THE INDIANA CODE
 23 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 24 UPON PASSAGE]:

25 **Chapter 18. Methadone Diversion Control and Oversight**
 26 **Program**

27 **Sec. 1. (a) Subject to federal law and sound medical practice, the**
 28 **division shall adopt rules under IC 4-22-2 to establish and**
 29 **administer a methadone diversion control and oversight program**
 30 **to identify individuals who divert controlled substances from**
 31 **legitimate treatment use and to terminate the methadone treatment**
 32 **of those individuals.**

33 **(b) Rules adopted under subsection (a) must include provisions**
 34 **relating to the following matters concerning methadone providers**
 35 **and individuals who receive treatment:**

- 36 **(1) Regular clinic attendance by the patient.**
- 37 **(2) Specific counseling requirements for the methadone**
- 38 **provider.**

1 **(3) Serious behavior problems of the patient.**

2 **(4) Stable home environment of the patient.**

3 **(5) Safe storage capacity of treatment medications within the**
 4 **patient's home.**

5 **(6) Medically recognized testing protocols to determine**
 6 **legitimate treatment use.**

7 **(7) The methadone provider's medical director and**
 8 **administrative staff responsibilities for preparing and**
 9 **implementing a diversion control plan.**

10 **Sec. 2. (a) Not later than February 28 of each year, each**
 11 **methadone provider must submit to the division a diversion control**
 12 **plan required under section 1(b)(7) of this chapter.**

13 **(b) The division shall review and approve plans submitted under**
 14 **subsection (a).**

15 **Sec. 3. (a) By May 15 of each year, each methadone provider**
 16 **shall submit to the division a fee of twenty dollars (\$20) for each**
 17 **nonresident patient treated by the methadone provider during the**
 18 **preceding calender year.**

19 **(b) The fee collected under subsection (a) shall be deposited in**
 20 **the methadone diversion control and oversight program fund**
 21 **established under section 4 of this chapter.**

22 **Sec. 4. (a) As used in this section, "fund" means the methadone**
 23 **diversion control and oversight program fund established under**
 24 **subsection (b).**

25 **(b) The methadone diversion control and oversight program**
 26 **fund is established to administer and carry out the purposes of this**
 27 **chapter. The fund shall be administered by the division.**

28 **(c) The expenses of administering the fund shall be paid from**
 29 **money in the fund.**

30 **(d) The treasurer of state shall invest money in the fund in the**
 31 **same manner as other public money may be invested.**

32 **(e) Money in the fund at the end of the state fiscal year does not**
 33 **revert to the state general fund.**

34 **Sec. 5. The division shall conduct an annual onsite visit of each**
 35 **methadone provider to assess compliance with this chapter."**

36 Page 3, after line 26, begin a new paragraph and insert:

37 **"SECTION 5. [EFFECTIVE UPON PASSAGE] (a)**
 38 **Notwithstanding IC 12-23-18-2, as added by this act, a methadone**

- 1 **provider is not required to submit a diversion control plan until**
- 2 **February 28, 2004.**
- 3 **(b) This SECTION expires July 1, 2004.**
- 4 **SECTION 6. An emergency is declared for this act."**
- 5 Renumber all SECTIONS consecutively.
 (Reference is to HB 1141 as introduced.)

and when so amended that said bill do pass.

Representative Brown C